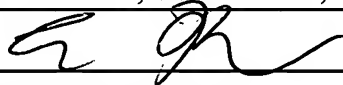
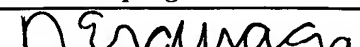




TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application No.	10/080,473	
	Filing Date	February 22, 2002	
	First Named Inventor	Nikos Kaburlasos	
	Art Unit	2863	
	Examiner Name	Le, Toan M.	
Total Number of Pages in This Submission	12	Attorney Docket Number	42390P13497

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input checked="" type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 80px; width: 100%;"></div>
Remarks <div style="border: 1px solid black; padding: 5px;">Petition for Reconsideration under 37 C.F.R. 1.47 with re-signed declaration</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric T. King, Reg. No. 44,188 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 16, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Nicole Erquiaga		
Signature		Date	November 16, 2004



FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/080,473
Filing Date	February 22, 2002
First Named Inventor	Nikos Kaburlasos
Examiner Name	Le, Toan M.
Art Unit	2863
Attorney Docket No.	42390P13497

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit
Account
Number

02-2666

Deposit
Account
Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims - 20** = X =
Independent Claims - 3 = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple Dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1404	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Name (Print/Type) Eric T. King

Registration No.
(Attorney/Agent)

44,188

Telephone

(714) 557-3800

Signature

Date

11/16/04

ITW DAE



Docket No.: 042390.P13497

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nikos Kaburlasos Application No.: 10/080,473 Filed: February 22, 2002 For: INTEGRATED ADJUSTABLE SHORT-HAUL/LONG-HAUL TIME DOMAIN REFLECTOMETRY	Examiner: Toan M. Le Art Group: 2661
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REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, DC 20231-9998

Madam:

1) Responsive to the Dismissal of Applicant's petition, Applicant herein addresses and, respectively submits, overcomes, the deficiencies noted in the dismissal. Applicant respectfully requests reconsideration of the petition under 37 C.F.R. §1.47(a).

2) As to the first deficiency [item (1)] noted in the dismissal of the petition, requiring proof that the non-signing inventor cannot be reached or refuses to sign the oath and declaration *having been presented with the application papers (specification, claims, and drawings)*, Applicant herein submits, as Exhibit A, a Declaration in Support of Petition Under 37 C.F.R. § 1.47(a). This declaration particularly addresses the deficiency noted.

3) As to the second deficiency [item (2)] noted in the dismissal of the petition, it is noted that Applicant's failed to submit an oath or declaration for the patent application in compliance with 37 C.F.R. § 1.63 and 1.64 in that the declaration did not identify the country of citizenship of inventor Nikhade. Applicant herein remedies this deficiency. Attached as Exhibit

B is a Declaration in compliance with 37 C.F.R. § 1.63 and 1.64 which identifies the citizenship of each inventor (including inventor Nikhade), and which is signed by the signing inventors on behalf of the non-signing inventor Mrs. Nikhade.

4) Applicant hereby respectfully requests reconsideration of the petition under 37 C.F.R. § 1.47(a) in view of Applicant's attempt to remedy the noted deficiencies, and respectfully requests that the petition be granted.

5) Authorization is hereby given to charge our deposit account number 02-2666 for any additional charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



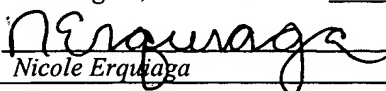
ERIC T. KING
Reg. No. 44,188

Dated: November 16, 2004

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on: November 16, 2004.


Nicole Erquiaga

11/16/2004

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of:</p> <p>Nikos Kaburlasos, et al.</p> <p>Application No.: 10/080,473</p> <p>Filed: February 22, 2002</p> <p>For: INTEGRATED ADJUSTABLE SHORT-HAUL/LONG-HAUL TIME DOMAIN REFLECTOMETRY</p>	 <p>Examiner: Toan M. Le</p> <p>Art Group: 2661</p>
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DECLARATION IN SUPPORT OF REQUEST FOR RECONSIDERATION OF PETITION UNDER
37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, DC 20231-9998

Madam:

I, Eric T. King, declare that:

- 1) I am the attorney for the Applicants and Assignee of the above-identified patent application.
- 2) Vaishali Nikhade's last known address is : 997 Glennfinnan Way, Folsom, California 95630.
- 3) I made two attempts, with the aid of my assistant, Susan McFarlane, to send a package to Vaishali Nikhade to her last known address. The package included formal documents including the declaration and the assignment as well as a copy of the patent application papers including the specification, claims, and drawings.
- 4) No contact from Vaishali Nikhade was ever received responsive to these mailings.
- 5) I declare, to the best of my knowledge, that all statements made in this document are true, and that all statements made on information are believed to be true; and further, that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under § 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: November 16, 2004

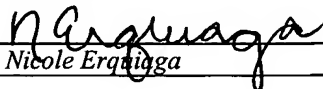


ERIC T. KING

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

*I hereby certify that this correspondence is being
deposited with the United States Postal Service as
first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on: November 16, 2004.*



Nicole Erquiaga

11/16/2004

Date



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number	42390P13497
		First Named Inventor	Nikos Kaburlasos
<input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)		COMPLETE IF KNOWN	
		Application Number	10/080,473
		Filing Date	February 22, 2002
		Art Unit	2863
		Examiner Name	Le, Toan M.

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTEGRATED ADJUSTABLE SHORT-HAUL/LONG-HAUL TIME DOMAIN REFLECTOMETRY
<i>(Title of the Invention)</i>

the specification of which

☐ is attached hereto.

OR

☒ was filed on (if applicable):

or 02/22/2002 as United States Application Number 10/080,473

and was amended on _____ as PCT International Application Number _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Docket No. 42390P13497

-1-

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Appointment of Practitioners:

I hereby appoint the practitioners associated with Customer Number: **45209** as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

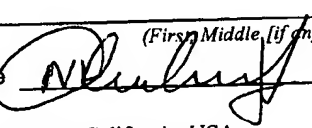
If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

Correspondence:

Direct all correspondence to Customer Number **08791**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this undersigned inventor

Full Name: Nikos Kaburlasos
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])
 Inventor's Signature:  Date: 11/15/2004
 Residence: Sacramento, California USA Citizenship: USA
(City, State, Country) (Country)
 Mailing Address: 2323 I Street, #14
Sacramento, California 95816 USA

Docket No. 42390P13497

-2-

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this undersigned inventor

Full Name: James Little
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])
Inventor's Signature James Little Date 11/15/2004
Residence Sacramento, California USA Citizenship USA
(City, State, Country) (Country)
Mailing Address 223 39th Street
Sacramento, California 95816 USA

NAME OF THIRD INVENTOR: ☐ A petition has been filed for this undersigned inventor

Full Name: Vahbali Nikhade
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])
Inventor's Signature _____ Date _____
Residence Folsom, California USA Citizenship India
(City, State, Country) (Country)
Mailing Address 997 Glenn Finnan Way
Folsom, California 95630 USA

NAME OF FOURTH INVENTOR: ☐ A petition has been filed for this undersigned inventor

Full Name: _____
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
(City, State, Country) (Country)
Mailing Address _____

NAME OF FIFTH INVENTOR: ☐ A petition has been filed for this undersigned inventor

Full Name: _____
(First, Middle [if any], Family Name (or Surname), and Suffix [if any])
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
(City, State, Country) (Country)
Mailing Address _____
